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SUBJECT: GAERC: FOCUSES ON SERBIA COMPROMISE WITH LITTLE
DISCUSSION OF KOSOVO

REF: USEU BRUSSELS 0041

Classified By: USEU Polmincouns Larry Wohlers, for reasons 1.4(b) and (d).

¶1. Summary: EU FMs engaged in a protracted discussion of Serbia at the January 28 GAERC, resulting in a proposal that Serbia sign an interim political agreement on cooperation with the EU. Ministers, faced with continuing opposition to the signing of the Stabilization and Association Agreement (SAA) with Serbia, reached an agreement that would actually be broader in scope than the SAA and would provide a framework for progress in four areas: political dialogue, visa liberalization, educational cooperation, and trade. Serbian FM Jeremic immediately embraced the initiative, expressing hope of returning to Brussels on February 7 -- four days after Serbian second round elections -- to ink the agreement. In order to generate momentum quickly, JHA Commissioner Frattini will visit Belgrade on January 30 to launch negotiations on visa liberalization. End Summary

Last Minute Maneuvers on Serbia

¶2. (C//NF) Faced with Dutch and Belgian opposition to the signing of the Stabilization and Association Agreement (SAA) with Serbia due to Serbia's inability to make progress on its ICTY obligations, EU FMs at the January 28 GAERC proposed that Serbia sign an interim political agreement on cooperation (Text faxed to EUR/ERA). Member state contacts privately tell us that Ministers engaged in a "rough and tumble" and "frantic" drafting exercise in order to ensure the EU could send a positive political signal to Serbia in lieu of signing the SAA. Slovene FM Rupel was so preoccupied with the matter, that he asked French FM Kouchner to chair the Iran discussion. Working unusually without an advance text or staff groundwork, the Ministers arrived at an agreement that would actually be broader in scope than the SAA. However, one Baltic Member State source (protect) observed the UK and Dutch FM conferring in the corridor on what appeared to be a UK-prepared text. The agreement would provide a framework for progress in four areas: political dialogue, visa liberalization, educational cooperation, and trade. According to a Commission source, the EU focused on issues that would have an impact on the lives of "ordinary Serbian voters," not only the EU-Serbia political relationship.

¶3. (SBU) In the agreement, characterized by one contact as "the most positive statement the EU has made on Serbia to date," the EU makes clear that political cooperation would be intensified "with a view to accelerating Serbia's progress toward the EU, including candidate status." The EU's invitation states that the offer for "deepening" the relationship, "leading to membership," would bring concrete benefits to the people of Serbia, in particular through "stimulating economic progress, commercial relations by

developing a free trade area, and people to people contacts, including in particular students." The SAA, traditionally seen as the last step before an Accession Agreement, is said to remain the "right vehicle" to take the relationship forward. Taking up a proposal recently announced by FM Rupel, the EU also agreed to set up a Task Force with a view to formulating recommendations to Serbia and the EU council in order to further the accession process.

Serbian FM: February 3 Vote: "A Referendum on Europe"

¶4. (C) Serbian FM Jeremic, who held post-GAERC talks with the EU troika, hailed this "breakthrough" as a major step on Serbia's "path to full EU membership" and depicted the second round of the Serbian presidential election on February 3 as "a referendum on Europe." Member state and EU interlocutors admit that the agreement could be perceived as light on substance, and note that the EU will be watching closely how Serbian voters receive news of the initiative. If all goes according to EU plans, the agreement would be signed in Brussels on February 7. In the meantime, JHA Commissioner Frattini will travel to Belgrade January 30 to begin immediate negotiations on visa liberalization.

Little Time for Kosovo Discussions

¶5. (C//NF) Ministers did not discuss Kosovo in-depth, although a UK contact (please protect) said that Swedish FM Bildt told UK FM Miliband during a private conversation that, despite Bildt's concerns about EU plans for policing the North, he would not block agreement on the Kosovo rule of law mission. As a result, deliberations on the supporting

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language for the mission returned to the Political and Security committee (PSC). A marathon Jan 30th meeting of the PSC successfully overcame vocal Cypriot and Dutch objections to language outlining the legal basis for the concept of operations for the mission, but have yet to find agreement on the Joint Action statement that will formally launch the mission. Contacts tell us that the EU political directors agreed on the margins of the GAERC to have the Joint Action ready by Feb 5th.

Comment

¶6. (C) The EU's hastily prepared "invitation" to Serbia served to demonstrate publicly Member States' unity on the Western Balkans and to send a positive political signal to Serbians in advance of the February 3 elections. Indeed, this appears to be the first EU draft agreement in which it has explicitly offered Serbia a membership perspective. Some of our Brussels institution contacts worry privately that the sword may prove double-edged and that it may be difficult for the EU to pull out of the invitation should Tadic lose. They also worry that other aspirant countries may at some point try to demand equal treatment. Nevertheless, for many of the member state governments, the imperative to make some positive public gesture towards Serbia at this critical moment was clearly paramount.

MURRAY

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